

REMARKS

Claims 1, 9, 13, and 18 have been amended. Claims 1 through 24 remain pending in this application. In light of the positions presented herein, all claims are believed to be in condition for allowance.

In the October 6, 2005, office action Figure 4 was rejected because it includes a hand written label. A replacement sheet including a revised Figure 4 is hereby included.

In addition, Claims 13, 15 and 17 were rejected under 35 U.S.C. § 102(e) as being anticipated by Coffee (U.S. Patent No. 6,880,554). Claims 1-3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Coffee (U.S. Patent No. 6,105,877) in view of Rabe et al. (U.S. Patent No. 6,531,142). Claims 4-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Coffee ('877), Rabe and Schroeder (U.S. Patent No. 5,591,395). Claims 9-10 and Claims 22-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Coffee ('877), Schroeder, Rabe and Bloch (U.S. Patent No. 4,071,616). Claims 11 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Coffee ('877), Schroeder, Rabe, Bloch and further in view of Peltier (U.S. Patent No. 5,382,410). Claims 14, 16 and 18 through 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Coffee ('554) in view of Schroeder.

35 U.S.C. § 102(e) Rejection of Claims 13, 15 and 17

Claims 13, 15 and 17 were rejected under 35 U.S.C. § 102(e) as being anticipated by Coffee ('554). In light of the amendment to Claim 13 presented herein, Applicant asserts that Coffee ('554) clearly does not teach or suggest the invention as presently claimed. In particular, Coffee does not teach or suggest a system for electrostatic delivery of an antimicrobial material that includes a glycol component having an initial viscosity and a conductivity control component comprising a silicon oil, an essential oil, a fatty acid ester and combinations thereof in an amount sufficient to reduce the initial

viscosity of the glycol component. Accordingly, Applicant asserts that Claim 13 and all claims depending therefrom are patentably distinct over Coffee ('554).

35 U.S.C. § 103 Rejections Based on Coffee '877 and Rabe

Several claims were rejected based on the Examiner's proposed combination of Coffee '877 and Rabe. However, Applicant asserts that there is no motivation or teaching to combine Coffee '877 with Rabe to achieve the present invention.

In particular, Coffee does not teach or suggest use of a conductivity control component of the type specified defined by the Applicant. Specifically, Coffee does not teach or suggest use of essential oils, silicon oils, fatty acid esters and combinations thereof as conductivity control components or that such components are provided in an amount sufficient to reduce the initial conductivity of the glycol component.

Rabe is cited for teaching use of essential oils, which may be included as a clearly an optional component (Col. 8, lines 51-59) along with a number of other, optional topical ingredients (Col. 9, lines 11-33) in order to provide an esthetic or functional benefit, such as sensory benefits relating to appearance, smell, or feel, therapeutic benefits, or prophylactic benefits. However, such ingredients, e.g. perfumes and essential oils, are not taught for use as conductivity control components. Further, Rabe does not teach use of a perfume and/or essential oil to reduce the initial conductivity a glycol and/or alcohol component.

Therefore, Applicant respectfully asserts that there is no motivation to combine Coffee with Rabe, and that even if made such combination does not teach each and every limitation of the present claims. Accordingly, any rejection based on such combination of Coffee '877 and Rabe should be withdrawn, with the subject claims allowed to proceed toward issue.

35 U.S.C. § 103 Rejections Based on Coffee '554 and Schroeder

Several claims were rejected based on the Examiner's proposed combination of Coffee '554 and Schroeder. However, Applicant asserts that there is no motivation or teaching to combine Coffee '554 and Schroeder. In particular, and as stated herein, none of the cited references discloses or suggests use of essential oils, silicon oils, fatty acid esters and combinations thereof as conductivity control components or that such components are provided in an amount sufficient to reduce the initial conductivity of the glycol component. Accordingly, Applicant asserts that the present claims are not obvious in view of Coffee '554 and/or Schroeder and that any rejection based thereon should be withdrawn.

This application is now believed to be in condition for allowance. Consistent therewith, favorable action is respectfully requested. The Examiner is invited to contact the undersigned by telephone should any issue remain. Thank you for your help and consideration.

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